

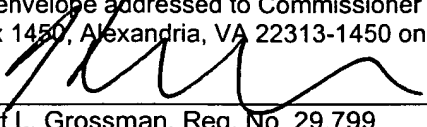


Ifw

**PATENT**

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 27, 2004.

  
Kurt L. Grossman, Reg. No. 29,799

Date

7/27/04

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Serial No.: 10/785,550  
Filed: February 24, 2004  
Group Art Unit: 3763  
Examiner: Unknown  
Applicant: Bernd Thureau, Robert Herz, Angela Crall, Dale Gallogly  
Title: Diaphragm-Based Reservoir for a Closed Blood Sampling System  
Attorney Docket: MDX-291US  
Confirmation No.: 8154

Cincinnati, Ohio 45202

July 27, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT**

In accordance with the duty of candor and good faith imposed by 37 C.F.R. §1.56 and means of complying therewith according to 37 C.F.R. §§ 1.97 and 1.98, the references listed on the attached Form PTO-1449 are called to the attention of the United States Patent and Trademark Office in connection with the above-identified patent application. We have submitted a total of 107 references, 96 of which

are U.S. patents or published patent applications and 11 of which are foreign references. The 96 U.S. patents or published patent applications were cited in two electronic Information Disclosure Statements that were filed on July 16, 2004 (because electronic Information Disclosure Statement filings are limited to fifty references, two such electronic Information Disclosure Statements were submitted citing the 96 references). The present, third Information Disclosure Statement is being submitted via U.S. Postal Service to cite the 11 foreign references. Copies of the cited foreign references are enclosed herewith. Foreign references A.O-A.Q are not in the English language and are cited herein because the references appear to generally show flow-through devices having an inlet, an outlet, and a means for altering the internal volume of the device.


No representation is made that the cited art is the only art or that the cited art represents the best art.

The Examiner is urged to consider all of the cited documents and to make an independent evaluation of the teachings and materiality of each.

If any additional fees are necessary to complete this communication,  
please apply them to Deposit Account 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:   
Kurt L. Grossman  
Reg. No. 29,799

2700 Carew Tower  
441 Vine Street  
Cincinnati, OH 45202  
(513) 241-2324 (voice)  
(513) 421-7269 (facsimile)

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. MDX/291US		SERIAL NO. 10/785,550	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICANT Bernd Thureau, et al.			
(37 CFR 1.98(b)) Use several sheets if necessary)				FILING DATE February 24, 2004		GROUP Unknown	

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A.A						
	A.B						
	A.C						
	A.D						
	A.E						
	A.F						
	A.G						
	A.H						
	A.I						
	A.J						
	A.K						

FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS							
		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)
	A.L	94/14482	07/07/1994	WO			
	A.M	99/24098	05/20/1999	WO			
	A.N	0 376 603	07/04/1990	EP			
	A.O	1046541	12/07/1953	FR			NO
	A.P	0705322	05/07/1966	IT			NO
	A.Q	76771	07/15/1954	NE			NO

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)	
	A.R
	A.S
	A.T

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance and not considered. Include a copy of this form with next communication to applicant.

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. MDX/291US		SERIAL NO. 10/785,550	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)				APPLICANT Bernd Thureau, et al.			
				FILING DATE February 24, 2004		GROUP Unknown	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	B.A						
	B.B						
	B.C						
	B.D						
	B.E						
	B.F						
	B.G						
	B.H						
	B.I						
	B.J						
	B.K						
FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS							
		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)
	B.L	0 783 899	07/16/1997	EP			
	B.M	90/12606	11/01/1990	WO			
	B.N	97/18748	05/29/1997	WO			
	B.O	99/16354	04/08/1999	WO			
	B.P	0 575 916	12/29/1993	EP			
	B.Q						
OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)							
	B.R						
	B.S						
	B.T						
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance <u>and</u> not considered. Include a copy of this form with next communication to applicant.							